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Application for dispensation to capture and collect the damselfly *Ischnura elegans* in ten protected nature reserves in Rogaland

The County Governor of Rogaland gives permission to collect samples of *Ischnura elegans* and other damselfly species in ten protected nature reserves in Rogaland, with legal basis in § 48 in the Nature Diversity Act (LOV-2009-06-19-100). The dispensation is given on terms and are given for a research project with the damselfly *Ischnura elegans*. The permit is granted for the period 17 July 2022 until 31 July 2022.

Terms:

- The permission is granted for capturing damselfly species with a sweeping net.
- 20 individuals of *Ischnura elegans* may be collected per site and preserved in alcohol for further measurements and DNA sequencing.
- Captured damselflies that are not *Ischnura elegans* must be released after capture and presence recorded.
- Only non-mating damselflies may be captured.
- The dispensation applies from 17 July 2022 until 31 July 2022.
- The dispensation applies to Dr Nicky Lustenhouwer, and field assistants Laura Penny and Stephen Corcoran from the University of Aberdeen.
- The permission is granted for the following protected nature reserves:
 - Grudevatnet (VV00000765)
 - Grudevatn naturreservat (VV00000905)
 - Lonavatnet naturreservat (VV00001235)
 - Øksnevadtjønn naturreservat (VV00001200)
 - Orrevatnet naturreservat (VV00000623)
 - Orrevatnet dyrelivsfredning (VV00000332)
 - Søndre Frøyland fuglefredningsområde (VV00003090)
 - Søndre Frøyland landskapsvernområde med fuglefredning (VV00000556)
 - Jærstrendene plantefredningsområde (VV00000491), the location in Brusand, south of Bjårvatnet

- **Bjørvatnet naturreservat (VV00000376)**
- **The researchers are obligated to get acquainted with the red-listed species that are known to be found in the different sites.**
- **The sampling activities must not disturb other species, such as nesting birds.**
- **Wellington boots and other equipment in touch with the water must be disinfected between sites**
- **The data recorded on *Ischnura elegans* and other damselfly species must be registered in Artsobservasjoner ([Artsobservasjoner - rapportssystem for arter i Norge](#)).**
- **Any scientific results must be sent to the Environmental office at the County Governor of Rogaland upon finalisation or publication.**

Appeal

This decision may be appealed, by a party or another person having legal interest in appealing the case. An appeal must be lodged within three weeks from receiving this letter. Any complaints should be addressed to the Norwegian Environment Agency (mailbox 5672 Sluppen, 7485 Trondheim) and submitted via the County Governor of Rogaland, cf. § 32 in the Public Administration Act.

Background

Dr Nicky Lustenhouwer, a postdoctoral researcher in the lab of Lesley Lancaster at the University of Aberdeen in Scotland, asks for permission to capture damselflies by walking around the perimeter of water bodies and capture them with a sweeping net. They will record the presence of *Ischnura elegans* and other damselfly species. Up to 20 individuals of *Ischnura elegans* will be collected per site, preserved in alcohol, and exported to the UK for further measurements and DNA sequencing. The damselfly species that are not *Ischnura elegans* will be released after recorded presence.

The desired aim is to learn more about the effect of climate change on species distributions, how species are shifting their range northward, adapting to new environments, and creating novel species interactions along the way. The research project is on the damselfly *Ischnura elegans* and will make an additional transect in Norway to previous studies in Sweden and Scotland.

Ischnura elegans is listed as Least Concern (LC) and is therefore not on the IUCN Red List. And there are no known confusion species to *Ischnura elegans* that are on the Red List.

Legal bindings

Each of the protected nature reserves have their own regulations:

- Forskrift om vern av Grudevatn naturreservat og et tilgrensende område hvor fuglelivet er fredet, Klepp kommune, Rogaland (26.07.1974)
- Forskrift om fredning av Lonavatnet som naturreservat, Klepp og Sandnes kommuner, Rogaland (20.12.1996)
- Forskrift om fredning av Øksnevadtjønn som naturreservat, Klepp kommune, Rogaland (20.12.1996)
- Forskrift om fredning av Orrevatnet som naturreservat, Klepp kommune, Rogaland (20.12.1996)
- Forskrift om fuglelivsfredning ved Orrevatnet, Klepp kommune, Rogaland (20.12.1996)
- Forskrift om vern som landskapsvern- og fuglefredningsområde, Søndre Frøyland, Time kommune, Rogaland (24.08.1978)
- Forskrift om vern av Jærestrendene landskapsvernområde med biotopfredingar og naturminne i Randaberg, Sola, Klepp og Hå kommunar, Rogaland (12.12.2003)
- Forskrift om fredning av Bjørvatnet som naturreservat, Hå kommune, Rogaland (20.12.1996)

The purpose of all the applicable regulations for the protected nature reserves is to preserve the special type of habitat, especially because of the rich bird life and vegetation. With the following provisions that vegetation and animals, including bird nests and eggs are protected against any kind of damage, destruction, and unnecessary disturbance.

Additionally, the regulations of Orrevatnet naturreservat (VV00000623) has traffic restrictions for the islands from 1 April to 15 August.

Furthermore, collection of species requires permission, and The County Governor of Rogaland has the authority to provide such a permission for scientific purposes, as stated in the regulations, and in the Nature Diversity Act (nml), § 48. Due to variation among the different regulations, The County Governor of Rogaland use § 48 in the Nature Diversity Act to assess the application for all the nature reserves in question.

The County Governors assessment

The initiative, in this case capturing of damselflies, must not conflict with the purpose of the regulations and must not significantly affect the conservation values of the protected nature reserves, cf. § 48, nml. Both conditions must be met for a dispensation to be considered.

According to the principle of public decision, cf. § 7 in nml, the principles of environmental law in §§ 8 to 12 is used as a basis for exercising public authority. The administrative authority must by all measures related to biodiversity, consider the applications under these sections.

§ 8 (base of knowledge)

The initiative includes walking around the perimeter of water bodies and capture damselflies with a sweeping net. Walking around in protected areas known for nesting birds, could frighten and disturb the birds and there by lead to negative consequences for chick production.

In addition, capturing damselflies with a sweeping net in areas protected for their vegetation, could entail capturing other insects, such as red-listed species.

Furthermore, walking around the water body and being in touch with the water at one site, and then use the same equipment at another site may lead to dispersal of organisms.

§ 9 (the precautionary principle)

To be precautionary, it is important to keep a safe distance from nesting birds and retreat if there is unrest among the birds.

It is also important to be careful with the insects, and release all other species caught in the sweeping net.

To avoid dispersal of organisms between sites, it is important to disinfect all equipment, including wellington boots, in contact with water.

§ 10 (ecosystem approach and overall load)

If the terms are followed, the total load on the ecosystem will be assessed as marginal. However, the capturing should be done outside of the protected areas where that is possible.

§ 11 (the costs of deteriorating the environment shall be borne by the developer)

According to § 11 in nml, Dr. Nicky Lustenhouwer and her research team is fully and completely responsible for all costs, and for the initiative to take place in a way that does not harm or disturb the birds or red-listed insects.

§ 12 (environmentally sound techniques and operating methods)

The County Governor considers that the terms given in the decision to implement the measure ensure that § 12 on environmentally sound techniques and operating methods are taken care of. The terms balance the implementation of the measure so that it does not conflict with the purpose of the protection and does not significantly affect the conservation values. These are requirements that must be met to grant a dispensation, cf. section 48, first paragraph.

Conclusion

The County Governor gives permission to Dr. Nicky Lustenhouwer and her research team in the lab of Lesley Lancaster at the University of Aberdeen in Scotland to sample damselflies in ten protected nature reserves in Rogaland for a research project on the damselfly *Ischnura elegans* and its rapid spread northward in Europe. The permit does only include Dr Nicky Lustenhouwer, and field assistants Laura Penny and Stephen Corcoran from the University of Aberdeen. In addition, we would like to emphasize that the capturing should be done outside of the protected areas if possible.

Please note that the County Governor does not own the land of these protected nature reserves, and that landowners must be contacted for permission to sample damselflies.

Furthermore, Haugesund municipality is responsible for the area of Tornesvatnet naturreservat (VV00001145). The County Governor of Rogaland has sent the application to Haugesund municipality for case processing.

Yours sincerely

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ass. fylkesmiljøvernsjef

Oline Lima
rådgiver

This document is electronic approved

Enclosure

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